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May 19, 2021

**VIA ECF**

The Honorable Vernon S. Broderick  
United States District Court for the Southern District of New York  
Thurgood Marshall U.S. Courthouse  
40 Foley Square, Room 415  
New York, NY 10007

**RE: Alfred Del Rio, et al. v. McCabe Weisberg & Conway, P.C., et al.  
No. 1:19-cv-10312-VSB**

Dear Judge Broderick:

We represent defendant, McCabe, Weisberg & Conway, LLC (“McCabe”). We write in response to the Court’s order dated May 12, 2021. It is McCabe’s understanding that the filing of plaintiff’s amended complaint (Doc. 34) mooted defendant’s motion to dismiss (Doc. 30). McCabe relies on its motion to dismiss plaintiff’s amended complaint (Doc. 46).

Very truly yours,

SWARTZ CAMPBELL LLC

JBM/CKD

/s/ Candidus K. Dougherty  
JEFFREY B. McCARRON  
CANDIDUS K. DOUGHERTY

cc: Jordan M. Smith, Esquire (via ECF)  
Mark S. Anderson, Esquire (via ECF)